

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**STODDARD EARL HAMMOND,**

**Defendant-Movant,**

**vs.**

**Civ. No. 21-891 JCH/JFR  
Cr. No. 20-1177 JCH/JFR**

**UNITED STATES OF AMERICA,**

**Plaintiff-Respondent.**

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS  
AND RECOMMENDED DISPOSITION**

**THIS MATTER** is before the Court on the Proposed Findings and Recommended Disposition by United States Magistrate Judge John F. Robbenhaar, filed January 24, 2022. CV Doc. 8, CR Doc. 29. Objections were due by no later than February 26, 2022.<sup>1</sup> The parties have not filed any objections. The failure to make timely objections to the Magistrate Judge's Proposed Findings and Recommended Disposition waives appellate review of both factual and legal questions. *U.S. v. One Parcel of Real Property*, 73 F.3d 1057, 1059 (10<sup>th</sup> Cir. 1996).

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Proposed Findings and Recommended Disposition (CV Doc. 8 and CR Doc. 29) are **ADOPTED**.

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<sup>1</sup> On January 24, 2022, the Court mailed the Proposed Findings and Recommended Disposition to Movant. CV Doc. 9. On February 8, 2022, the mail was returned as undeliverable. *Id.* On February 9, 2022, the Court verified Movant's mailing address and re-mailed the Proposed Findings and Recommended Disposition to Movant. Adding three days to account for service by mail, Movant's objections to the Proposed Findings and Recommended Disposition, if any, were due by February 26, 2022.

**IT IS FURTHER ORDERED** that Movant's *Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody* (CV Doc. 1, CR Doc. 27) is **DENIED** and **DISMISSED WITH PREJDUCE**.

  
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SENIOR UNITED STATES DISTRICT JUDGE